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RECEIVED
CENTRAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

2009 FEB 24 A 9 42

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February 5, 2009

MUR 6161

Mr. Jeff S. Jordan
Supervisory Attorney
Complaints Examination and
Legal Administration
Federal Elections Commission
999 E. Street NW
Washington, D. C. 20463

Dear Mr. Jordan:

I write on behalf of the Hocking County Republican Party to respond to your letter of January 27, 2009, addressed to Mr. Rodney Carr, Chairman.

To be more precise, the entity is the Hocking County Republic Party Central Committee. It is the official county organization for the Republican Party in Hocking County, a rural southeastern Ohio county with a population of about 28,000 people. It is an entity created by operation of Ohio law, with its members elected every two years in even numbered years. The Hocking County Republican Party is too small to have any paid staff and is comprised entirely of volunteers.

In the last election, the Committee donated \$1,000.00 to Fred Dailey, the Republican candidate for Congress in the 18th Congressional District. The Party had previously donated sums to other Republican Congressional candidates in our District. However, to my recollection, the maximum amount previously donated was typically under a thousand dollars.

In addition, the Hocking County Republican Party Central Committee placed slate cards in the local newspaper, The Logan Daily News. A sample of the slate card has already been provided to your Commission. It mentioned our local candidates, judges, state representatives, state candidates, the President and our Congressional candidate.

Submitted herewith is an affidavit from an employee of the Logan Daily News which shows the total cost of the entire ad was \$216.75, based on a charge of \$12.75 per column inch. Candidate Dailey's line was approximately 1 column inch and cost \$12.75.

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Mr. Dailey also shared an ad on October 2, 2008, as one of 3 pictured candidates. That advertisement cost a total of \$75.00.

Contrary to the complaint, the slate card was not run on October 21, 2008, but was run on October 31, 2008, and again on November 3, 2008. The total value of all funds donated and the pro-rata share of the three shared advertisement is \$1,050.50.

Mr. Dailey campaign was not consulted regarding the slate card advertising in any way. His campaign did not approve them in advance, nor was his campaign's permission obtained, nor was his campaign consulted in any way.

I would note, for the record, that both the Republican and Democratic parties have run slate cards routinely in the past listing both local and federal candidates.

The Hocking County Republican Party's Central Committee donated no money to any Presidential candidate. The slate card previously mentioned did list John McCain and his running mate. Again, the listing was approximately 1 column inch, run on two occasions, for a total value of \$25.50.

The advertisement placed in the Logan Daily News on October 2, 2008, featured John McCain, Sarah Palin and Fred Dailey. A copy was provided with the complaint. It cost \$75.00; and, you could allocate \$25.00 to Fred Dailey and \$50.00 to the McCain-Palin ticket. This makes the total value of all ads provided to the Republican Presidential ticket \$75.50. Again, the McCain-Palin committees did not approve any ad, participate in its placement, nor were they consulted in any way. I am certain they were not aware of it.

I enclose a copy of the quick answers section to the website of the Federal Election Commission which indicates that a state, district or local party committee may give \$5,000.00 to any candidate or candidate's committee per election.

The contributions themselves were not in excess of any federal limits, nor illegal in and of themselves.

It does appear, however, that in the case of Candidate Fred Dailey we arguably and inadvertently exceeded a limit of \$1,000.00 by the placement of the ads in question, with a total value of \$50.50 above the limit, which may have triggered a requirement to register. We leave that decision to your agency.

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The advertisement of October 2, 2008, appeared almost by accident. The local party had purchased a number of such ads in advance well before the election and allocated them to local candidates. When the local candidates received their ads, there was one extra. The person in charge of allocating the ads made an independent decision to list our national candidates, rather than favor one local candidate over another.

If these casual ads created a technical violation of Federal Election Campaign Finance Law, it was unintentional. The Hocking County Republican Party would request leave to register late, if that is required. I can also assure you that, so long as the current officers of the Republican Central Committee remain involved in the Hocking County Republican Central Committee, the oversight will not occur again.

Your mailing described a conciliation procedure. The Hocking County Republican Party Central Committee expresses its desire to enter into conciliation.

Thank you.

Sincerely,



Will Kern

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FEDERAL ELECTION COMMISSION
999 E Street, NW
Washington, DC 20463

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ELECTION
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OFFICE OF GENERAL
COUNSEL

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STATEMENT OF DESIGNATION OF COUNSEL
Please use one form for each Respondent/Client
FAX (202) 219-3923

MUR # 6161

NAME OF COUNSEL: WILL KERREN

FIRM: WILL KERREN, ATTORNEY AT LAW

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The above-named individual and/or firm is hereby designated as my
counsel and is authorized to receive any notifications and other communications
from the Commission and to act on my behalf before the Commission.

2/5/09

Date

Rodney Carr
Respondent/Client Signature

CHAIRMAN

Title

RESPONDENT/CLIENT HOCKING COUNTY REPUBLICAN CENTRAL COMMITTEE
(Please Print)

MAILING

ADDRESS: C/O RODNEY CARR, CHAIRMAN

245 N. MULBERRY STREET, LOGAN, OHIO 43138

TELEPHONE- HOME

BUSINESS (740) 385-9095

Information is being sought as part of an investigation being conducted by the Federal Election Commission and the confidentiality provisions of 2 U.S.C. § 437g(a)(1)(A) apply. This section prohibits making public any investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.

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